

**MINUTES OF THE HOUSE**  
**PUBLIC UTILITIES & TECHNOLOGY STANDING COMMITTEE**  
**Room W020, House Building**  
February 8, 2012

**MEMBERS PRESENT:** Rep. Michael Noel, Chair  
Rep. Steve Handy, Vice Chair  
Rep. Roger Barrus  
Rep. Fred C. Cox  
Rep. John Dougall  
Rep. Lynn Hemingway  
Rep. Neal Hendrickson  
Rep. Chris Herrod  
Rep. Ken Ivory  
Rep. Lowry Snow  
Rep. Ryan Wilcox

**STAFF PRESENT:** Mr. Richard North, Policy Analyst  
Ms. Sylvia Newton, Committee Secretary

**Note:** A list of visitors and a copy of handouts are filed with the committee minutes.

Vice Chair Handy called the meeting to order at 2:06 p.m.

**MOTION:** Rep. Hendrickson moved to approve the minutes of the February 2, 2012 meeting. The motion passed unanimously with Rep. Dougall, Rep. Herrod, Rep. Wilcox, and Rep. Noel absent for the vote.

**H.B. 96      Prohibition of Sale or Use of Certain Software Programs (*Rep. P. Arent*)**

**MOTION:** Rep. Hendrickson moved to adopt 1st Substitute H.B. 96. The motion passed unanimously with Rep. Dougall, Rep. Herrod, Rep. Wilcox, and Rep. Noel absent for the vote

Rep. Arent introduced the substitute bill to the committee. During the presentation of the bill, Vice Chair Handy relinquished the chair to Chair Noel.

Spoke in favor of the bill: Marc Johnson, State Tax Commission  
Jacey Skinner, Utah Sentencing Commission  
Mark Baer, Attorney General's Office  
Dave Davis, Utah Retail Merchants Association  
Dan Deuel, Weber 9/12 Project

**MOTION:** Rep. Dougall moved to amend the bill as follows:

1. Page 1, Line 18: After "phantomware" delete ", "
2. Page 3, Line 70: After "phantomware" insert "with the intent to defraud"

The motion to amend the bill passed unanimously with Rep. Herrod and Rep. Ivory absent for the vote.

**MOTION:** Rep. Hemingway moved to pass the bill as amended out favorably. The motion passed unanimously with Rep. Herrod and Rep. Ivory absent for the vote.

**H.B. 118      Storage of Electronic Records (*Rep. B. Daw*)**

Rep. Daw introduced the bill to the committee.

**MOTION:** Rep. Wilcox moved to pass the bill out favorably. The motion passed unanimously with Rep. Dougall and Rep. Herrod absent for the vote.

**MOTION:** Rep. Wilcox moved to place H.B. 118 on the Consent Calendar. After further discussion, the motion was withdrawn.

**H.B. 311      Electronic Meetings for Charter School (*Rep. B. Daw*)**

Rep. Daw introduced the bill to the committee.

**MOTION:** Rep. Wilcox moved to pass the bill out favorably. The motion passed unanimously with Rep. Herrod absent for the vote.

**H.J.R. 9      Joint Resolution on Monetary Declaration (*Rep. B. Galvez*)**

Rep. Galvez introduced the resolution to the committee, assisted by Larry Hilton, Commission for Sound Money. A handout was provided to committee members.

**MOTION:** Rep. Ivory moved to amend the resolution as follows:

1. Page 2, Line 52: After "has no" delete "power" and insert "authority"

2. Page 2, Line 53: After "otherwise" delete ",,"

The motion to amend the bill passed unanimously with Rep. Hemingway and Rep. Herrod absent for the vote.

**MOTION:** Rep. Ivory moved to hold the bill in committee. The motion passed with Rep. Wilcox voting in opposition to the motion and Rep. Dougall, Rep. Hemingway, and Rep. Herrod absent for the vote.

**MOTION:** Rep. Hendrickson moved to adjourn. The motion passed with Rep. Dougall, Rep. Hemingway, and Rep. Herrod absent for the vote.

Chair Noel adjourned the meeting at 3:52 p.m.

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Rep. Michael Noel, Chair